

CLERK OF THE COURT  
TABATHA FERGUSON  
BOSQUE COUNTY CLERK  
MERIDIAN, TEXAS

ATTORNEY FILING  
JOHN A. HASTINGS III  
PO BOX 899  
MERIDIAN, TX 76665

THE STATE OF TEXAS

TO ALL PERSONS INTERESTED IN THE ESTATE OF **BETTY JO JUDAH**, deceased, Docket No. **P08670** County Court at Law Bosque County, Texas, **JOHNNY K JUDAH A/K/A JOHN K. JUDAH** filed in the County Court at Law of Bosque County, Texas, on the **9<sup>th</sup> day of August, 2024** a **FIRST AMENDED APPLICATION FOR PROBATE OF WILL AS A MUNIMENT OF TITLE**. Said application will be heard and acted on by said Court **no earlier than 10:00 am** on the **first Monday** next after the expiration of ten days, from the date of posting this citation, the same being the **26<sup>th</sup> day of August, 2024** at the County Court at Law Judicial Annex in **MERIDIAN, TEXAS**.

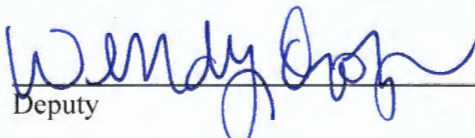
All persons interested in said estate are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting such application should they desire to do so.

The officer executing this citation shall post the copy of the citation at the Courthouse Door of the county in which proceedings are pending, or at the place in or near said Courthouse where public notices customarily are posted, for not less than 10 days before the return day thereof, exclusive of the date of posting and return the original copy of this citation to the Clerk stating in a written return thereon the time when and the place where he posted such copy.

**GIVEN UNDER MY HAND AND THE SEAL OF SAID COURT** in Meridian, Texas. This the **12<sup>th</sup> day of August, 2024**.



  
TABATHA FERGUSON  
Bosque County Clerk

  
Deputy

**OFFICER'S RETURN ON CITATION**

Came to hand on the 12 day of Aug, 2024, at 11:51 o'clock A M. and executed on the 12 day of Aug, 2024 by posting a copy of the within citation for ten days, exclusive of the day of posting, before the return day hereof, at the County Courthouse door of Bosque County, Texas, or at the place in or near the said courthouse where public notices customarily are posted, that is from 8/12, 2024, through 8/26, 2024 inclusive.

  
CONSTABLE  
BOSQUE COUNTY, TEXAS

Printed name: Scott Ferguson

No. P08670

IN THE ESTATE OF	§	COUNTY COURT AT LAW
BETTY JO JUDAH	§	OF
DECEASED	§	BOSQUE COUNTY, TEXAS

**FIRST AMENDED APPLICATION FOR PROBATE OF WILL**  
**AS MUNIMENT OF TITLE**

**Applicant: Johnny K. Judah a/k/a John. K. Judah**

**Decedent: Betty Jo Judah**

Applicant files this application for probate of the written Will of Decedent as Muniment of Title, and shows the Court as follows:

*1. Applicant's Information*

Applicant Johnny K. Judah, only child of Decedent and a person interested in this estate, is domiciled in Dallas County, Texas and may be served at 1200 Main St # 1206, Dallas, TX 75202.

*2. Decedent's Information*

Decedent, Betty Jo Judah was domiciled in Bosque County, Texas at the time of her death. The last three digits of Decedent's social security number are 753. The last three digits of Decedent's driver's license are 706.

*3. Fact, Date, and Place of Death*

Decedent died on July 1, 2023 in DeSoto, Dallas County, Texas.

*4. Jurisdiction and Venue*

This Court has jurisdiction over this matter and venue is proper because Decedent resided in this county and had a domicile or fixed place of residence in Texas.

*5. Property*

Decedent owned personal property having an aggregate probable value of less than \$75,000.00

*6. Medicaid Benefits*

Decedent did not receive Medicaid benefits on or after March 1, 2005.

*7. Details of Will*

Decedent executed a valid, written Will on June 1, 1991, which was never revoked.

*8. Subscribing Witnesses to the Will*

The subscribing witnesses to Decedent's will are: Charles G. Johnson and Edna Johnson.

*9. Executor Facts*

Decedent's Will named Johnny Kevin Judah a/k/a John K. Judah (Applicant), son of Decedent, to serve as alternative Independent Executor without bond or security in the event that Jimmy Donald Judah, husband of Decedent, was unable to act.

Decedent died on July 1, 2023. Jimmy Donald Judah, husband of Decedent, subsequently died on August 11, 2023 without undertaking any action or administration on Decedent's estate. An Affidavit of Heirship regarding Jimmy Donald Judah was executed by Applicant recorded as Instrument No. 2023-03918 of the Official Public Records of Bosque County, Texas. A copy of the Affidavit of Heirship regarding Jimmy Donald Judah is attached hereto.

Johnny K. Judah, Applicant and son of Decedent, resides at 1200 Main St # 1206, Dallas, TX 75202. Johnny K. Judah may be served at 1200 Main St # 1206, Dallas, TX 75202.

*10. After-Born Children*

No children were born to or adopted by Decedent after execution of the Will.

*11. No Unsecured, Unpaid Debt*

Decedent's estate does not owe an unpaid debt, and there is no necessity for administration on the estate.

*12. Divorce After Execution of Will*

Decedent was never divorced after making her Will.

*13. Government Agency or Chrity Named as Devisee*

Decedent's will does not name the State of Texas, an agency of the State, or a charitable organization as a devisee.

*14. Time Between Date of Death and Application*

Four years have not elapsed since the date of Decedent's death and before this Application.

*15. Prior Affidavit of Heirship and Small Estate Affidavit*

As the sole heir of Decedent, Applicant originally chose to inherit without probating Decedent's will because there was no need for any administration. Applicant recorded an Affidavit of Heirship regarding Decedent to accomplish that purpose, and it was recorded as Instrument No. 2023-03919 of the Official Public Records of Bosque County, Texas (Exhibit A). The Affidavit of Heirship regarding Decedent sufficed to transfer the ownership interest of all assets from Decedent's estate into Applicant – except for one account.

Fidelity Investments informed Applicant that an Affidavit of Heirship would be acceptable to the company, but then refused to accept the Affidavit of Heirship and demanded Applicant file a Small Estate Affidavit.

Pursuant to Fidelity's demands, Applicant filed a Small Estate Affidavit. The Court denied the Small Estate Affidavit because Decedent had left a Will. Fidelity Investments now requires Applicant to undertake this probate as muniment of title to retrieve the only remaining asset in Decedent's estate.

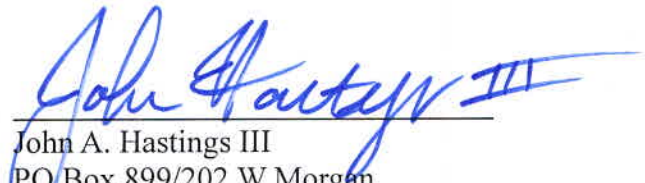
*16. Reason for Nonproduction of Decedent's Will*

As stated above, Applicant has previously attempted to inherit the property of Decedent's Estate under the Texas intestacy statutes. Decedent's Will was attached as an exhibit to the Affidavit of Heirship and the Small Estate Affidavit. Applicant has now misplaced the original Will, but a certified copy of the Affidavit of Heirship in which the Will was included as an exhibit is attached hereto as Exhibit A.

*17. Prayer*

Applicant requests that, as provided in Section 257.053 of the Texas Estates Code, Decedent's Will be admitted to probate as muniment of title without any administration of the Will or estate required, and that this Court enter all other orders it deems proper.

Respectfully submitted,



John A. Hastings III  
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